

IN THE HIGH COURT OF BOMBAY AT GOA

**APPEAL UNDER WORKMEN'S COMPENSATION ACT NO. 2 OF
2007**

SHRI. SADANAND CHAFADKAR

... Appellant

Versus

SHRI. ROHIDAS MAHADEV GAWADE AND
ANR.,

... Respondents

Mr. A. V. Nigalye, Advocate for the appellant.
Respondent Nos.1 & 2 represented by Advocate Mr. Sudin Usgaonkar,
Amicus Curiae.

Coram:- F.I. REBELLO, J.

Date:- 23rd November, 2007

P.C.

The employer preferred an appeal against the award in favour of the L.R;s of the deceased Workmen by the Workmen Compensation Authority. It is the case of the employer that considering the schedule to Workmen Compensation Act, there was no liability fastened upon them.

Considering the status of the persons, learned Counsel was asked whether it is possible to settle the matter. Accordingly notice was served on the respondents though Rohidas Mahadeo Gawade who and whose wife are present. Mr. Sudin Usgaonkar, learned Counsel is appointed as Amicus Curiae to assist the Court. The respondent is present in person. On the taking instruction from the respondent Mr Usgaonkar states that respondent is willing to settle the matter in the sum of Rs.75,000/-. On behalf of learned Counsel for the Employer the statement is accepted.

Considering the above, order of the workmen compensation authority is modified, in as much as the compensation is worked out in

favour of respondent in the sum of Rs.75,000/-.

The amount is deposited with the Workmen Compensation Authority. The Workmen Compensation Authority is directed to pay according to law to the respondents the said sum of Rs.75,000/- and refund the balance to the Employer. The appeal is disposed of accordingly.

The Court places on record its appreciation of the assistance rendered by the learned Amicus Curiae.

F.I. REBELLO, J.

SMA